



CANNON BUILDING
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STATE OF DELAWARE
DEPARTMENT OF STATE

DIVISION OF PROFESSIONAL REGULATION

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PUBLIC MEETING MINUTES:	BOARD OF ARCHITECTS
MEETING DATE AND TIME:	Wednesday, February 3, 2010 at 1:30 p.m.
PLACE:	861 Silver Lake Blvd., Conference Room B, Second floor, Dover, Delaware
MINUTES APPROVED:	3/3/2010

MEMBERS PRESENT

Jean McCool, RA, Professional Member, President
C. Terry Jackson, RA, Professional Member
Gregory Kindig, RA, Professional Member
Arden Bardol, RA, Professional Member
Prameela Kaza, Public Member

DIVISION STAFF/DEPUTY ATTORNEY GENERAL

Kay Warren, Deputy Director, Division of Professional Regulation
Andrew Kerber, Deputy Attorney General
Nicole M. Williams, Administrative Specialist II

ABSENT

Toni Bush Neal, Public Member
Joseph Schorah, Public Member, Secretary
Kenneth Freemark, RA, Professional Member

OTHERS PRESENT

None.

1.0 CALL TO ORDER

Ms. McCool called the meeting to order at 1:47 p.m. Ms. McCool welcomed Ms. Kaza as the new Public Board Member.

2.0 REVIEW AND APPROVAL OF MINUTES

The Board reviewed the minutes from the January 6, 2010 meeting. A motion was made by Mr. Jackson, seconded by Ms. Kaza to approve the minutes with the amendments. The motion was unanimously carried.

3.0 UNFINISHED BUSINESS

Final Decision and Order: Nicholas J. Tricarico

Mr. Kerber advised the Board that since the hearing for Mr. Tricarico was dismissed and his license renewed then there was no reason to have a final decision and order. Ms. McCool advised that she would like the Board to continue to follow protocol and have a final decision and order. Mr. Kerber will have one ready for the next meeting for the Board to review and sign.

Review of Unlicensed Activity Letters

Mr. Kerber advised no new developments since the last meeting.

Strategic Planning

The Board had no discussion on this matter.

Discussion of Educational Program Limitations – Mr. Kerber

Mr. Kerber reviewed with the Board the draft letter in their folders regarding Educational Program Limitations. Ms. McCool advised that she recalled that at the last meeting Mr. Kerber was to sign the letter. Mr. Kerber advised that the letter is not specifically coming from the DAGs office; therefore the Board should sign the letter. Mr. Kerber advised the Board of the few changes he made to the initial letter drafted by Ms. Reardon. Ms. Bardol advised putting an invite in the letter for the licensee to attend and just sign it sincerely, the Delaware Board of Architects. Ms. McCool briefed Mr. Kindig on the background to this matter. Ms. Williams will make the noted changes to the draft letter and put it on official State letterhead and send out. Ms. Kaza clarified if this letter refers specially to a violation of the regulations or statute and Ms. McCool advised that the letter does specify. A motion was made by Mr. Jackson, seconded by Ms. Kaza to approve the letter with changes. Motion carried unanimously. Mr. Jackson advised that at the next meeting he would like this type of letter to go out to all the schools and colleges.

4.0 New Business

Review of Reciprocity Applications – NCARB Certificate – Ratify Listing

Ms. Williams advised the Board that they need to ratify the listing of issued licenses for those architects who applied by Reciprocity with NCARB Certificate. Ms. McCool advised Ms. Kaza of the ratification process for the licensure list for applicants applying by reciprocity with NCARB certificate.

A motion was made by Ms. Bardol, seconded by Ms. Kaza to ratify the listing for agenda item 4.1 and accept the approved applications. The motion was unanimously carried.

Review of Reciprocity Applications

The Board reviewed the reciprocity applications for Lester Stein, Dale Frens, and Joseph Pro.

Ms. Bardol reviewed the application for Mr. Stein and Dale Frens and made a motion for approval of licensure for Mr. Stein as he is complete and to send a letter of request to Mr. Frens to submit proof of an additional three (3) hours of approved HSW continuing education for contingent approval, seconded by Mr. Jackson. Motion carried unanimously. Ms. Williams will send Mr. Frens a letter requesting proof of the required additional 3 hours of HSW credits for approval of his license.

Mr. Kindig reviewed the application for Mr. Pro and made a motion to approve him for licensure, seconded by Mr. Jackson. Motion carried unanimously.

Review of Applications by Written Examination

Ms. McCool reviewed the applications to sit for the ARE exam for Benjamin Garvin and reviewed the application to approve for licensure for Timothy Davidheiser as he passed all portions of the ARE. Ms. McCool advised that in 1997 and 1998 Mr. Davidheiser was approved to sit for the ARE despite that

he did not meet the IDP requirements or have a degree. Ms. McCool advised the Board of the letters corresponded between the Division and Mr. Davidheiser. Ms. Williams pulled up the minutes from December of 1997 and January of 1998. Ms. Williams advised that Mr. Davidheiser was approved for the waiver in January of 1998 and in December of 2004, the minutes reflect that Mr. Davidheiser was approved to sit for the ARE. Ms. McCool advised that it appears that he is complete for licensure due to the old requirements and regulations. Mr. Jackson made a motion to approve for licensure, seconded by Ms. Kaza. Motion carried unanimously.

Mr. Jackson made a motion to approve above Mr. Garvin to sit for the ARE exam, seconded by Ms. Kaza. Motion carried unanimously.

Complaint Assignments and Reassignments

No new complaints or reassignments.

Draft Audit Response Letter – Mr. Kerber

Ms. Williams advised the Board of the letter Mr. Kerber was asked to draft at the last meeting regarding a response letter to those architects who were deficient in their CE's or did not respond at all to the audit. The Board reviewed the letter and discussed. Mr. Kerber advised that he believes it is a rigid penalty and advised that the Board may want to revise it to have the licensee's pay a smaller amount and then increase the amount each renewal. Ms. McCool advised that the licensee's have not complied with the CE requirement as stated in the regulations therefore the fee should be stringent. Ms. Kaza agreed with the fee. Ms. McCool advised that the \$2500 fee comes from what other states have charged. Mr. Kerber advised to have the next renewal have an additional checkbox to state that the licensee wishes to seek an extension for six (6) months. Ms. Williams advised that she will request the System Administrator if this type of question is feasible for the online renewal. Ms. Bardol advised to have the renewal form also state that their will be a monetary penalty if they do not comply with the CE requirement as stated in the Rules and Regulations. Mr. Kerber advised that the letter needs to be tailored to the licensees according to their audit response. Ms. Williams and Mr. Kerber will draft the letters as they need to be and report at the February meeting. Ms. Williams advised to have the original draft letter Mr. Kerber submitted sent to all the licensees who did not respond at all to the audit notice. The Board concurred. No further action was taken on this matter.

5.0 Other Business Before the Board (for discussion only)

Ms. McCool advised the Board of the upcoming Regional NCARB Annual meeting regarding hotel reservations. There was no further discussion. Ms. McCool and Mr. Jackson will be going to this regional meeting. Ms. McCool advised that the National Annual meeting is going to be in June. Ms. McCool also advised the Board that the Architectural/Engineering joint Board will meeting in mid March and advised she will be stepping down and inquired to have another professional member take her place and head the committee.

Ms. Williams advised the Board of correspondence received from a non-licensee regarding section 303 5(a) of 24 Del. C. and being exempt. Ms. McCool advised that he needs to be cautious of ensuring that the drawings being sealed should not be signed as a "registered architect in DE" as he is not a registered architect in DE and can not hold himself out as a registered architect. Mr. Kerber will draft a response letter for Ms. Williams to send back to the customer.

Ms. McCool advised that she will not be able to attend the March meeting.

6.0 Public Comment

There was no public comment.

7.0 Next Scheduled Meeting

The next meeting will be held on March 3, 2010 at 1:30 p.m. in Conference Room B, second floor of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware.

8.0 Adjournment

There being no further business before the Board, Ms. Kaza made a motion seconded by Ms. Bardol to adjourn the meeting at 3:19 p.m. The motion carried unanimously.

Respectfully submitted,

A handwritten signature in cursive script that reads "Nicole M. Williams".

Nicole M. Williams
Administrative Specialist II